



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09:832,387	04/11/2001	Louiss R. Jackson, JR.	COMP:0205	4526

7590 06/11/2003

Robert A. Van Someren
Fletcher, Yoder & Van Someren
P.O. Box 692289
Houston, TX 77269-2289

EXAMINER

VORTMAN, ANATOLY

ART UNIT	PAPER NUMBER
----------	--------------

2835

DATE MAILED: 06/11/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/832,387

Applicant(s)

JACKSON,, LOUISS R.

Examiner

Anatoly Vortman

Art Unit

2835

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 12 May 2003 (Request for RCE).
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 1-50 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-50 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 04/14/03 has been entered. By the aforementioned submission claims 1, 3, 20, 21, 27, 33-35, 37, 38, and 43-50 have been amended and claim 51 has been cancelled. Thus, claims 1-50 are pending in the instant application.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-18, 20-32, 34-42, and 44-50 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by DE/29,616,175.

DE/29,616,175 disclosed (Fig. 1-4) a computing device as claimed in claims 1-18, 20-32, 34-42, and 44-50 of the instant application.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 19, 33, and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over DE/29,616,175 as applied to claims 1, 21, and 37 respectively, in view of US/5,610,798 to Lochridge.

DE/29,616,175 disclosed all of the claims limitations, but did not disclose that upright surface (wall) mounting (mount structure (5)) comprises a plurality of keyhole slots.

Lochridge disclosed a hangable computer (Fig. 2) having a mounting for hanging (40) comprising a plurality of keyhole slots (46) in order to readily hang or remove the computer from supporting surface without the removal of holding screws (column 5, lines 10+).

It would have been obvious to a person of ordinary skill in the computer art at the time the invention was made to substitute the mount structure (5) of DE/29,616,175 with the plurality of the keyhole slots as taught by Lochridge in order to facilitate hanging and removal of the device from supporting surface.

6. Alternatively, claims 1-50, are rejected under 35 U.S.C. 103(a) as being unpatentable over US/5,375,076 to Goodrich et al., (Goodrich) in view of DE/29,616,175.

Regarding claims 1, 2, 12, 19, 21, and 37, Goodrich disclosed (Fig. 14-17) a computing apparatus, comprising:

a housing (20) configured for a display (26) and a plurality of computing electronic devices (42, 44, 46), wherein the display (26) is coupled to a side of the housing (20) and the housing (20) has a slim thickness; and a mounting assembly (36) for the housing (20) configured to facilitate a desired upright orientation of the display (26) and a shallow horizontal space consumption of the housing (20), but did not disclose a mount structure configured to mount the housing on a substantially vertical surface (wall).

DE/29,616,175 disclosed a hangable computer (Fig. 1-4) including display (1), the computer/display having a mount structure (5) configured to mount said display on a vertical surface (wall) in order to save the working surface space.

Since the inventions of Goodrich and of DE/29,616,175 are from the same field of endeavor (computer displays), the purpose of the mount structure configured to mount said display on a vertical surface as taught by DE/29,616,175 would be recognized in the invention of Goodrich.

It would have been obvious to a person of ordinary skill in the computer art at the time the invention was made to supplement said display of Goodrich with the mount structure as taught by DE/29,616,175 in order to facilitate mounting of the display of Goodrich on the vertical surface in order to save the space on a working surface.

Regarding claims 3, 8, 9, 10, 22, 23, and 38, Goodrich disclosed that the housing (20) embodies a substantially flat panel having a flat display screen (26) with a viewable area configured for personal computer system, (Fig. 14, 16, 17).

Art Unit: 2835

Regarding claim 4, 6, 7, 25, 26, 40, and 41, Goodrich disclosed that said housing (20) comprising a plurality of modular bays (receptacles) for at least a portion of a portable (desktop) computer component (42, 44, 46), (Fig. 14).

Regarding claim 5, Goodrich disclosed a slot (covered by door (40)) for a compact computer component (column 4, lines 51+).

Regarding claim 11, Goodrich disclosed a display angle adjustment assembly (36) coupled to the housing (20) for orienting the display in a desired viewing angle, (Fig. 9).

Regarding claims 13, 14, and 28, Goodrich disclosed a motherboard (52) with a processor (inherited in the structure, since any computer has a processor).

Regarding claim 15, Goodrich disclosed a data storage device (44).

Regarding claims 16, 29, and 42, Goodrich disclosed a battery (i.e. a mobile computer component), (50), (Fig. 13).

Regarding claims 17 and 31, Goodrich disclosed a port (48) configured for communication with an external electronic device.

Regarding claims 18 and 32, Goodrich disclosed a wireless communication assembly for interacting with peripheral devices (column 4, lines 12+).

Regarding claims 20, 34, and 44, Goodrich disclosed a horizontal mount structure (36) for mounting the housing (20) on a substantially horizontal surface.

Regarding claims 24, 27, and 39, Goodrich disclosed compact computer modular devices (bodies) (42, 44) adapted for removable insertion into, and coupling with, the housing (20).

Regarding claim 30, Goodrich disclosed that the computing devices comprise software (column 4, lines 32+).

Art Unit: 2835

Regarding claim 36, Goodrich disclosed a keyboard (24) for communicatively coupling to a port (28) of the housing (20).

Regarding claims 35 and 45, Goodrich disclosed a wall mountable (inherently) peripheral device (24) configured for communicatively coupling to a port (28) of the housing (20), (Fig. 17).

Regarding the functional recitation "wall mountable", please note that it is narrative in form, since any thing can be mounted to the wall. In order to be given a proper patentable weight, a functional recitation must be expressed as a "means" for performing the specified function (i.e. a specific structure which would allow the device to be readily mounted to the wall), as set forth in 35 USC § 112, 6th paragraph, or must be supported by recitation in the claim of sufficient structure to warrant the presence of the functional language. *In re Fuller*, 1929 C.D. 172; 388 O.G. 279.

Regarding claims 46-51, the method steps recited in the claims are necessitated by the device structure as disclosed by Goodrich in view of DE/29,616,175.

Claims 19, 33, and 43, are rejected under 35 U.S.C. 103(a) as being unpatentable over Goodrich in view of DE/29,616,175 as applied to claims 1, 21, and 37 respectively, and further in view of US/5,610,798 to Lochridge.

Goodrich in view of DE/29,616,175 disclosed all of the claims limitations, but did not disclose that upright surface (wall) mounting (mount structure (5) of DE/29,616,175) comprises a plurality of keyhole slots.

Art Unit: 2835

Lochridge disclosed a hangable computer (Fig. 2) having a mounting for hanging (40) comprising a plurality of keyhole slots (46) in order to readily hang or remove the computer from supporting surface without the removal of holding screws (column 5, lines 10+).

It would have been obvious to a person of ordinary skill in the computer art at the time the invention was made to substitute the mount structure (5) of DE/29,616,175 in combination of Goodrich and DE/29,616,175 with the plurality of the keyhole slots as taught by Lochridge in order to facilitate hanging and removal of the device from supporting surface.

Response to Arguments

7. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure:

US/6480243 and 2002/0188363 disclosed wall mountable displays.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anatoly Vortman whose telephone number is 703-308-7824. The examiner can normally be reached on 9:30-6:00, Monday-Friday.

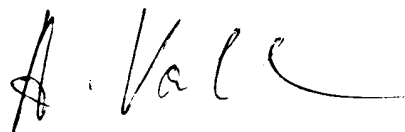
Art Unit: 2835

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Darren Schuberg can be reached on 703-308-4815. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-3431 for regular communications and 703-305-3432 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1782.

Anatoly Vortman
Primary Examiner
Art Unit 2835

A.V.
June 5, 2003

A handwritten signature in dark ink, appearing to read 'A. Vortman', with a long horizontal flourish extending to the right.